

E-FILED APRIL 8, 2011

Edgar C. Smith, Esq.
Nevada Bar No. 5506
LAW OFFICE OF EDGAR C. SMITH
7371 Prairie Falcon Road
Suite 120
Las Vegas, Nevada 89128
Telephone: (702) 388-0040

Attorney for Movant Apple Blossom Arbitrage, LLC

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
JILL ANNE WHITTLE
Debtor.

Case No.: 11-14878-BAM
Chapter: 13

NOTICE OF MOTION TO MODIFY OR
TERMINATE THE AUTOMATIC STAY
UNDER 11 USC §362 TO PERMIT MOVANT
TO RECOVER POSSESSION OF REAL
PROPERTY

APPLE BLOSSOM ARBITRAGE, LLC.

Movant,

Hearing Date: May 10, 2011
Hearing Time: 1:30 p.m.

-vs-

JILL WHITTLE, RICK A. YARNALL,
CHAPTER 13 TRUSTEE,

Respondents

NOTICE IS HEREBY GIVEN that Apple Blossom Arbitrage, LLC filed a MOTION TO MODIFY OR TERMINATE THE AUTOMATIC STAY UNDER 11 USC §362 TO PERMIT MOVANT TO RECOVER POSSESSION OF REAL PROPERTY AND FOR IN REM RELIEF AS TO FUTUR FILINGS on April 8, 2011. The Motion seeks Relief from the Automatic Stay as to the real property commonly known as 646 Paloma Drive, Boulder City, Nevada 89005 (A.P.N. #186-10-117-016). Any opposition must be filed pursuant to Local Rule 9014(d)(1).

NOTICE IS FURTHER GIVEN that if you do not want the court to grant the relief sought in the Motion, or if you want the court to consider your views on the Motion, then you must file an opposition with the court, and serve a copy on the person making the Motion *no later than 14 days*

1 ***prior to the hearing date for this Motion***, unless an exception applies (See Local Rule 9014(d)(3)).

2 The opposition must state your position, set forth all relevant facts and legal authority, and be
3 supported by affidavits or declarations that conform to Local Rule 9014(c).

4 If you object to the relief requested, you must file a WRITTEN response to this pleading
5 with the court. You *must* also serve your written response on the person who sent you this notice.
6 If you do not file a written response with the court, or if you do not serve your written response on
7 the person who sent you this notice, then:

- 8 • The court may *refuse to allow you to speak* at the scheduled hearing; and
9 • The court may *rule against you* without formally calling the matter at the hearing.

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11 NOTICE IS FURTHER GIVEN that the hearing on the said Motion will be held before a
12 United States Bankruptcy Judge, in the Foley Building, 300 Las Vegas Boulevard South, Third Floor
13 Bankruptcy Courtroom No. 3, Las Vegas, Nevada 89101 on May 10, 2011 at the hour of 1:30 p.m.

14 Dated: April 8, 2011

LAW OFFICE OF EDGAR C. SMITH

15
16 By: /s/ Edgar C. Smith

17 Edgar C. Smith, Esq.
18 Nevada Bar No. 5506
19 7371 Prairie Falcon Road
20 Suite 120
Las Vegas, Nevada 89128
Attorney for Secured Creditor
Apple Blossom Arbitrage, LLC

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CERTIFICATE OF MAILING

I hereby certify that on the 8th day of April, 2011, and pursuant to F.R. Civ. P Rule 5(b)(2), the undersigned did deposit into the United States Mail at Las Vegas, Nevada, first class postage prepaid, a true and correct copy of the MOTION TO MODIFY OR TERMINATE THE AUTOMATIC STAY UNDER 11 USC §362 TO PERMIT MOVANT TO RECOVER POSSESSION OF REAL PROPERTY AND FOR IN REM RELIEF AS TO FUTURE FILINGS WITH CERTIFICATE OF MAILING, and addressed as follows:

Jill Anne Whittle Debtor
646 Paloma Drive
Boulder City, NV 89005

Randy Lee Whittle Interested Party
646 Paloma Drive
Boulder City, NV 89005

U.S. Trustee's Office-LV-13 U.S. Trustee
300 Las Vegas Blvd. South
Suite 4300
Las Vegas, NV 89101

Rick A. Yarnall Chapter 13 Trustee
701 Bridger Avenue, #820
Las Vegas, Nevada 89101

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Teri Campbell